



U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

March 25, 2021

BY ECF

The Honorable Laura Taylor Swain
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

MEMO ENDORSED

Re: *United States v. Ricardo Fabian*, 19 Cr. 566 (LTS)

Dear Judge Swain:

This case is currently scheduled for a status conference on March 25, 2021. The Government respectfully submits this letter to inform the Court that the Government extended a plea offer to the defendant on March 24, 2021, and defense counsel has informed the Government that the defendant intends to accept the plea offer and enter a guilty plea. Accordingly, the parties respectfully request that the Court cancel the status conference currently scheduled for March 25, 2021, and schedule a time for entry of the defendant's plea. The parties have conferred and are available on the mornings of April 7, 12, and 14.

Because the purpose of this adjournment is to facilitate the disposition of this case by the entry of a plea, the parties jointly submit that the ends of justice served by this continuance outweigh the interests of the defendant and the public in a speedy trial, and request that time be excluded under the Speedy Trial Act from March 25, 2021 to the new date for a status conference set by the Court. I have discussed this request with defense counsel, who joins in the request.

The application is granted. The conference scheduled for March 25, 2021, at 11:00 am, is adjourned. The Court will issue a separate order scheduling Mr. Fabian's change of plea hearing for April 14, 2021, at 9:00 a.m. The Court finds pursuant to 18 USC 3161(h)(7) (A) that the ends of justice served by an exclusion of the time from today's date through April 14, 2021, outweigh the best interests of the public and the defendant in a speedy trial for the reasons stated above. DE#86 resolved.

SO ORDERED.

Dated: 3/25/2021
/s/ Laura Taylor Swain, USDJ

Respectfully submitted,

AUDREY STRAUSS
United States Attorney for
the Southern District of New York

By:

Thane Rehn
Assistant United States Attorney
(212) 637-2354

cc: Susan G. Kellman, Esq. (via ECF)